

Defendant.

[illegible]

CASE NO. 2:15-cv-02274-JEO

DEFENDANT’S MOTION TO STAY DISTRICT COURT PROCEEDINGS
PENIDNG RULING FROM U.S. SUPREME COURT ON PENDING PETITION
FOR WRIT OF CERTIORARI

It is in the best interest of the parties and judicial economy that this stay be granted. If certiorari is denied, the parties can begin discovery then. On the other hand, if discovery and motion practice proceeds apace, and then the Supreme Court grants certiorari, a wasting of resources could result. The undersigned attorney anticipates that the discovery could be very time-consuming and expensive in this case since the issues and defenses presented involve the testimony of medical professionals and the production

of medical records. It is my understanding that one of the primary doctors involved no longer resides in Birmingham, Alabama, but now resides and practices in New York City. Additionally, the issues in this case could require the retention of medical experts in addition to the medical professionals who would be fact witnesses.

WHEREFORE, based upon the foregoing, the Defendant respectfully requests that the Court stay further proceedings in district court pending a ruling from the United States Supreme Court on a petition to file a writ of certiorari to be filed by Defendant on or March 9, 2019.

Respectfully submitted,

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/s/ Bart Harmon
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of March, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following (or by U.S. Mail to the non-CM-ECF participants):

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